

Exhibit A

Claim Chart Showing Support in Issued US Patent # 6,055,513  
 for Certain Claims Pending in  
 Application Serial Number 09/691,392

Claim language in 09/691,392	Support in 6,055,513 patent	Quote from Cited Support
<p>21. A method for providing offers of a good, a service or information, utilizing an electronic communications device, between an offeror and a user of the electronic communications device, comprising the steps of:</p>	<p>Column 8, lines 35-40</p> <p>Column 8, lines 49-50</p>	<p>“... methods are provided for effecting ... electronic commerce, which are particularly adapted for the intelligent ... proffer of products, services or information to a user or customer.”</p> <p>“... utilizing an electronic communications device, ...”</p>
<p>receiving geographical information regarding the geographic position of the user,</p>	<p>Column 9, lines 34-36</p> <p>Column 17, lines 50-54</p> <p>Column 21, lines 45-50</p>	<p>“At yet a less specific level of geographic granularity, identification data may include zip code data or other <u>geographic identifier</u>.”</p> <p>“In addition to database 98, geographic designator programs exist which may be utilized to receive ANI data and to identify the <u>geographic location</u> of a customer such as by zip code, or more particularly, by zip code plus four.”</p> <p>“At a lesser level of specificity, namely, one at which a specific user may not be identified, various forms of identification exists. For example, a telephone number may</p>

		provide <u>geographic indication</u> , such as through knowledge of its area code, or provide even more geographic specificity through the prefix. Other geographic descriptors, such as zip code or the finest level of geographic granularity (zip code plus 4) may be utilized.”
determining the identity of the user,	Column 8, line 55  Column 12, lines 1-2	“... including determining the <u>identity of the prospective customer</u> ...”  “... <u>identity information</u> regarding the user is either automatically obtained such as through the use of ANI or manually obtained, such as through entry of identification information by the user.”
utilizing at least in part the geographic position of the user and the identity of the user to determine an offer for a good, service or information, and	Column 12, lines 7-12  Comments:  (1) the identity of the user is part of the “primary transaction data” cited above (see Katz ‘513, column 8, lines 53-56);  (2) the geographic position of the user is part of the “second data element” (see Katz ‘513, column 9, lines 33-37)	“A <u>second data element</u> is then obtained, preferably from a second, and most preferably remote, database which is then used in conjunction with the <u>primary transaction or primary interaction data</u> so as to <u>select a subset of potential of offers</u> of goods, services or information to the user.”  “obtaining primary transaction data with respect to the transaction, including <u>determining the identity</u> of the prospective customer;”  “Optionally, <u>additional data</u> may be requested so as to specify a subset, e.g., a unique resident, from the household. At yet a less specific

		level of geographic granularity, identification data may include zip code data or other <u>geographic identifier</u> .”
offering the item to the user.	Column 8, line 44 (among other support)	“... and thereafter, <u>offer the user</u> or customer one or more items determined to be among the optimum upsells.”

22. The method of claim 21 wherein the electronic communication device is a wireless device.  23. The method of claim 22 wherein the wireless device is a wireless phone.  Comment: The applicant submits that the cited portions of Katz support both claims 22 and 23.	Column 16, line 7 (discussing Figure 3)  Column 20, line 8 (discussing Figure 5)	“The interconnection 88 between the end instruments 76, 78 may be of any mode or manner, such as a copper wire connection, cable connection, <u>wireless connection</u> , cellular connection, satellite connection, or any other mode or manner of connection.”  “A carrier 176, such as an on-line access service, cable access service, network, or other wired or <u>wireless connection</u> may be used to access the desired website 180.”
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36. The method of claim 21 wherein the offer comprises a coupon.	column 13, line 36;	“When appropriate from context, a good or service may include a <u>coupon</u> , ticket, card or other promotional material,
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	<p>column 18, line 8; and</p> <p>column 27, line 16</p>	<p>including printed material, having a value designator.”</p> <p>“The secondary transaction may relate to the offer of a good or a service, or to a <u>coupon</u>, ticket, card or other promotional material having a variable or designated value for the purchase, lease or other acquisition in the future of a good or a service.”</p> <p>“Optionally, an electronic <u>coupon</u> 420 or other form of <u>coupon</u> may be provided to the user in a real time manner for later use. The <u>coupon</u> may be for a discount on a later purchase, or may otherwise be a form of incentive to the customer, such as the award of credits which may be accumulated for exchange into other goods or services.”</p>
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39. The method of claim 21 wherein the offeror system contacts the user via the electronic communications device.	column 11, lines 35-45	“In an electronic commerce environment, a display or other communication of the offer is made, such as through textual data, video, and/or audio communication. Additionally, information may be provided by additional or other modes of communication, such as e-mail, facsimile, independent phone contact, cable contact, etc.
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	column 20, line 55	"In this way, while an initial access for a primary transaction is provided to a website, through program flow (where the <u>operator may initiate contact with the user</u> ) or at the election of the user (where the user may initiate contact with an operator) 160 may be placed in connection with an operator."
40. The method of claim 21 wherein the determination of an offer is subject to negative decision criteria.	column 24, line 15	"The selection criteria may include <u>negative decision criteria</u> , such as not trying to upsell a customer on an item that the system knows he has previously purchased, or has previously been offered but declined to purchase."
42. The method of claim 21 wherein the offer is made orally to the user.	column 14, line 56	"Typically, a screen pop including a text directed towards the sale of the upsell item would appear, at which point, the telemarketing sales representative would <u>verbally</u> make the sales presentation to the caller."
43. The method of claim 21 wherein the offer is made visually to the user.	column 27, line 4, Figure 9	"A <u>graphical depiction</u> 404 of the good or service may be provided, which is either a still image or includes motion."